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Application No.: 10/519,470

Docket No.: 4590-367

REMARKS

Reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1-13 are currently pending in the application. Claims 14 and 15 are newly added.

Applicant appreciatively notes that claims 4, 5 and 10-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Applicant requests this be held in abeyance with respect to independent claim 1. Claims 14 and 15 are a combination of Claims 1 and 4, and 1 and 5, respectively and represent subject matter that the Examiner considers to be allowable.

Claims 1-3 and 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Langner et al. (US 6696980B1) in view of Chen et al. (US 6995690B1). Applicant respectfully traverses this rejection.

Langner et al describes an aircraft navigation aid in the form of a display, illustrated in figures 1 to 3 and 5.

The Examiner has cited Figure 1 and column 4, line 59 of Langner et al as being relevant. It is noted that the passage at column 4, line 59 mentions a display (140). However, there is no description in that passage, or anywhere else in Langner et al, of the display of both a feeler line ground path and a ground path to be captured, as required by the claimed invention. There is also no description in Langner et al of the calculation of the ground path that the aircraft would follow if a turn at a maximum rate applicable to the current flight phase of the aircraft were to begin at that instant.

The Examiner has cited In re Mraz in relation to Figure 1 and has stated that Figure 1 displays a feeler line and a ground path. In fact, Figure 1 does seem to show a path of an aircraft (for instance the vertical solid line in the bottom half of the figure extending from next to the box labeled 311° to the item labeled KUKL; the path is also shown in Figure 2a). However, Figure 1 clearly does not show any kind of feeler line, or indeed any representation of the ground path that an aircraft would follow if a turn at the maximum rate were to begin at that instant, as required by Claim 1. The Examiner is respectfully requested to reconsider Langner et al in light of the comments above.

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The Examiner seems to argue that Chen et al addresses the defects of Langner et al and discloses a feature of the claimed invention missing from Langner et al, namely the act of computing a feeler line ground path that an aircraft would follow if a turn at the maximum rate applicable were to begin at that instant. The Examiner has cited the passage at column 5, lines 32 to 45 and Figure 11 of Chen et al and has concluded that Claims 1 and 6 are obvious in view of Langner et al in combination with Chen et al.

In fact, it has already been established above that, contrary to the Examiner's comments, as well as not disclosing the feature of computing a feeler line ground path that an aircraft would follow if a turn at the maximum rate applicable were to begin at that instant, Langner et al also does not disclose the feature of the claimed invention of the display of both a feeler line ground path and a ground path to be captured. Chen et al also does not disclose that feature of the display of both a feeler line ground path and a ground path to be captured, and the combination of Chen et al and Langner et al neither provides nor suggests that feature.

Furthermore, it is noted that the passage at column 5, lines 32 to 45 of Chen et al cited by the Examiner is concerned with the shape of an area of terrain (referred to as a swath or wedge or terrain) in front of an aircraft which is considered in the generation of a display showing the maximum terrain height within the area of terrain (the swath or wedge). The generation of the display showing the maximum terrain height is described at column 4, lines 31 to 48. The passage at column 5, lines 32 to 45 cited by the Examiner merely specifies that when the aircraft is actually turning, the shape of the area (the swath or wedge) taken into consideration in the generation of the maximum terrain height display is changed to take account of the turn.

Thus, it is respectfully submitted that, contrary to the Examiner's argument the passage at column 5, lines 32 to 45 cited by the Examiner does not disclose the calculation of the ground path that an aircraft would follow if a turn at the maximum applicable rate were to begin at that instant, as required by the claimed invention, but merely describes the modification of a maximum terrain height display in light of a turn that is actually taking place.

In light of the above, it is respectfully submitted that Chen et al does not address the defects of Langner et al, and that even if Langner et al and Chen et al were combined, the features of the display of both a feeler line ground path and a ground path to be captured, or the

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feature of the computation of a feeler line ground path that an aircraft would follow if a turn at a maximum rate were to begin at that instant, would not have been obtained as required by the claimed invention.

Furthermore, it is noted that neither Langner et al nor Chen et al are concerned with the problem addressed by the claimed invention, concerning the determination of how to place an aircraft in a turn in order to optimize the capture of the path to be captured, and there is no suggestion in either Langner et al or Chen et al of the solution provided by the claimed invention.

In light of the above, it is clear that Claims 1 and 6, and all dependent claims, are patentable over the prior art applied by the Examiner, and it is respectfully requested that the obviousness rejection be withdrawn.

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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